

RONALD MARTINETTI, ESQ.

State Bar No. 106 898

KAZANJIAN & MARTINETTI

520 East Wilson Avenue

Glendale, California 91206

Tel. 818-241-1011

FAX 818-241-2193

Attorneys for Defendants

Lee's General Toys, Inc., and

John Lee

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

CASE. NO. 07 CV 2391

(JAH POR)

GEORGIA-PACIFIC CONSUMER
PRODUCTS LP, a Delaware limited
partnership,

Plaintiff,

vs.

LEE'S GENERAL TOYS, INC., a California
corporation, JOHN LEE, an individual; and
DOES 1-10,

Defendants.

)
) DEFENDANT JOHN LEE'S
) DECLARATION IN OPP.
) TO PRELIMINARY
) INJUNCTION AND
) IN SUPPORT OF DEFS.'
) POINTS AND AUTHORITIES

) Date: Jan. 28, 08

) (Assigned to Hon.
) J. Houston)

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

This Declaration of Defendant John Lee is filed in connection
with his Memorandum of Law in Opposition to Plaintiff's Request
for Preliminary Injunction which is to be filed by Feb. 28.

Dated: February 6, 2008

KAZANJIAN & MARTINETTI
RONALD MARTINETTI, ESQ.

By Ronald Martinetti
Ronald Martinetti
Attorneys for Defendants

DECLARATION OF JOHN LEE IN OPPOSITION TO
PLAINTIFF'S REQUEST FOR PRELIMINARY INJUNCTION

I, John Lee, declare:

1. As I have informed this Court, we have removed the outer wrappings from 59,520 tissue rolls and are no longer selling, importing, or distributing Angelite tissue (pending the outcome of this litigation).

2. I have also informed our five major distributors that we are no longer selling Angelite tissue and will not refill any re-orders. Instead, we are offering for sale our Swan label which is not in controversy.

3. On February 4, 2008 I wrote each of the distributors the following letter: "Dear Sir or Madam, Please note that General Toys is no longer selling "Angelite" tissue products. Please do not reorder "Angelite" tissue because these orders will not be filled. Currently, we are selling "Swan" toilet tissue. Please feel free to place your orders for "Swan" toilet tissue. We appreciate your business and look forward to working together in the future." These letters were mailed on February 4, 2008.

4. Defendants believe that they have a valid trademark and, in fact, received a trademark from the California Secretary of State in 2003. Plaintiff has known about this trademark since 2003 and has slept on its rights. However, Defendants have no intention of further marketing any items under the name Angelite as long as the present lawsuit is pending.

5. The exhibits that are attached as Nos. 1 through 5 are true

LAW OFFICES
KAZANJIAN & MARTINETTI
520 EAST WILSON AVENUE
SUITE 250
GLENDALE, CALIFORNIA 91206

1. and exact copies of the five letters I sent to our distributors
2. I declare under penalty of perjury that the foregoing is true
3. and correct under the laws of the United States and the state of
4. California.

Executed this February 6, 2008 at Vernon, California

John Lee

John Lee

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GENERAL TOYS

Tel: (323) 826-9898
Fax: (323) 826-9733

3389 E. 50TH ST.
VERNON, CA 90058

February 4, 2008

TCI Supply Co.
121 E. 18th Street #3
Los Angeles, CA 90013

Dear Sir or Madam:

Please note that General Toys is no longer selling "Angelite" tissue products. Please do not reorder "Angelite" tissue because these orders will not be filled. Currently, we are selling "Swan" toilet tissue. Please feel free to place your orders for "Swan" toilet tissue. We appreciate your business and look forward to working together in the future.

Sincerely,



John Lee
President

EXHIBIT 1

GENERAL TOYS

Tel: (323) 826-9898

Fax: (323) 826-9733

3389 E. 50TH ST.
VERNON, CA 90058

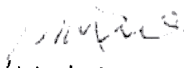
February 4, 2008

Kensco
2602 37th Street
Vernon, CA 90053

Dear Sir or Madam:

Please note that General Toys is no longer selling "Angelite" tissue products. Please do not reorder "Angelite" tissue because these orders will not be filled. Currently, we are selling "Swan" toilet tissue. Please feel free to place your orders for "Swan" toilet tissue. We appreciate your business and look forward to working together in the future.

Sincerely,



John Lee
President

EXHIBIT 2

GENERAL TOYS

3389 E. 50TH ST
VERNON, CA 90058

Tel: (323) 826-9898
Fax: (323) 826-9733

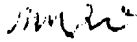
February 4, 2008

Double Bargain Inc
3033 Bandini Blvd
Vernon, CA 90023

Dear Sir or Madam:

Please note that General Toys is no longer selling "Angelite" tissue products. Please do not reorder "Angelite" tissue because these orders will not be filled. Currently, we are selling "Swan" toilet tissue. Please feel free to place your orders for "Swan" toilet tissue. We appreciate your business and look forward to working together in the future.

Sincerely,



/John Lee
President

EXHIBIT 3

GENERAL TOYS

3389 E. 50TH ST.
VERNON, CA 90058

Tel: (323) 826-9898
Fax: (323) 826-9733

February 4, 2008

Jorge Aceves Contreras
2170 Coronado Ave.
San Diego, CA 92154

Dear Sir or Madam

Please note that General Toys is no longer selling "Angelite" tissue products. Please do not reorder "Angelite" tissue because these orders will not be filled. Currently, we are selling "Swan" toilet tissue. Please feel free to place your orders for "Swan" toilet tissue. We appreciate your business and look forward to working together in the future.

Sincerely

John Lee
President

EXHIBIT 4

GENERAL TOYS

3389 E. 50TH ST.
VERNON, CA 90058

Tel: (323) 826-9898
Fax: (323) 826-9733

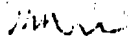
February 4, 2008

TBA Mexican Trade Grocery
1045 Bay Blvd. #A
Chula Vista, CA 91900

Dear Sir or Madam:

Please note that General Toys is no longer selling "Angelite" tissue products. Please do not reorder "Angelite" tissue because these orders will not be filled. Currently, we are selling "Swan" toilet tissue. Please feel free to place your orders for "Swan" toilet tissue. We appreciate your business and look forward to working together in the future.

Sincerely,



John Lee
President

EXHIBIT 5

PROOF OF SERVICE

I am employed in Los Angeles County, California; I am over the age of eighteen years and not a party to the within action. My business address is 520 East Wilson Glendale, California 91206.

On this date I served Defendant John Lee's Decl. in Opp. to Preliminary Injunction and in Support of Defs.' Points and Authorities (to be filed by Feb. 28)

by personal delivery (to the address below)

X
by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at Glendale, California, addressed to:

Stephen Swinton, Esq.
Latham & Watkins
12636 High Bluff Drive, Suite 400
San Diego, California 92130-2071
Tel. 858-523-5400
FAX 858-523-5450

and via FAX to counsel for Georgia-Pacific Consumer Prod. (x)

(x) BY MAIL I sealed and placed such envelope for collection and mailing to be deposited in the mail on the same day in the ordinary course of business at Glendale, California. I am readily familiar with our law firm's practice of collecting and processing correspondence and documents for mailing. They are deposited with the U.S. Postal Service on the same day as dated, in the ordinary course of business.

(State) I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

(x) (Federal)

The papers are also to be filed via e-mail.

I declare under penalty of perjury of the state of California that the foregoing is true and correct.

Executed this February 6, 2008 at Glendale, California 91206

Ron Markitt